United Nations A/61/1001

General Assembly

Distr.: General
12 July 2007

Original: English

Sixty-first session
Agenda items 67 and 98

Promotion and protection of human rights

Crime prevention and criminal justice

Letter dated 7 July 2007 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

I have the honour to convey to you information regarding the measures being undertaken in the Republic of Uzbekistan towards the further liberalization of the penal system and to ensure the independence of the court-judicial system.

I would appreciate it if you could circulate the present letter and its annex as a document of the sixty-first session of the General Assembly under agenda items 67 and 98.

(*Signed*) Alisher **Vohidov**
Permanent Representative of Uzbekistan

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Annex to the letter dated 7 July 2007 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

[Original: Russian]

Information regarding the liberalization of the criminal justice system and strengthening of the independence of the courts in the Republic of Uzbekistan

Over the past few years a radically new strategy underpinning the legal and judicial system has been developed in the Republic of Uzbekistan.

The most significant achievement in terms of liberalization of the system has been the adoption in 2005 of Presidential decrees on the abolition of the death penalty in Uzbekistan and on the transfer to the courts of the right to issue warrants for pretrial detention (habeas corpus).

In accordance with these Presidential decrees, as of 1 January 2008 the death penalty as the supreme form of punishment is to be abolished and the right to issue warrants for the pretrial detention of persons suspected or accused of committing crimes is to be transferred to the courts.

On 29 June 2007 the Senate of the Parliament of the Republic of Uzbekistan, at its tenth plenary session, adopted a law on amendments and additions to certain legislative acts of the Republic of Uzbekistan in connection with the abolition of the death penalty.

The law provides for amendments and additions to the Criminal Code, the Code of Criminal Procedure and the Code of Criminal Enforcement of the Republic of Uzbekistan which eliminate the death penalty from the criminal justice system and replace it with a life sentence or prolonged term of imprisonment.

According to this law, a life sentence or prolonged term of imprisonment is to be applied in the case of two categories of offences: premeditated murder in aggravating circumstances and terrorism.

The law prohibits the application of these penalties to women, minors and men over the age of 60 years.

The Senate of the Parliament of the Republic of Uzbekistan also adopted a law on amendments and additions to certain legislative acts of the Republic of Uzbekistan in connection with the transfer to the courts of the right to issue warrants for pretrial detention.

This law establishes a judicial procedure for applying preventive measures in the form of pretrial detention and specifies the exceptional circumstances in which this preventive measure may be applied.

The law will strengthen the authority of the judiciary and increases the responsibility of prosecutorial and investigatory agencies in relation to pretrial detention while enhancing the effectiveness of judicial protection. The provisions of the law comply fully with the requirements of universally recognized democratic principles and international legal norms.